

District Judge Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

E.L.A. and O.L.C.,

Case No. C20-1524-RAJ

**Plaintiffs,**

DECLARATION OF NICKOLAS BOHL IN  
SUPPORT OF DEFENDANT UNITED  
STATES' MOTION TO PARTIALLY  
DISMISS FOR LACK OF SUBJECT  
MATTER JURISDICTION

V.

UNITED STATES OF AMERICA,

**Defendant.**

I, Nickolas Bohl, hereby declare and certify as follows:

1. I am an Assistant United States Attorney for the Office of the United States Attorney for the Western District of Washington, and assigned as counsel of record for the United States of America. I am familiar with the record and facts in this matter and have personal knowledge of the information asserted below.

2. On November 8, 2022, the parties telephonically met and conferred about Defendant's motion to dismiss for lack of subject matter jurisdiction. The parties discussed the substance of Defendant's jurisdictional arguments but they were not able to resolve the issues at that time.

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the  
2 United States of America that the foregoing is true and correct to the best of my knowledge.

3 Executed this 14th day of November, 2022 at Seattle, Washington.  
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5 *s/ Nickolas Bohl*  
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10 *Attorney for Defendant*  
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